

REMARKS

In response to the Office Action dated March 31, 2004, Applicant respectfully requests reconsideration based on the above claim amendments and the following remarks. Applicant respectfully submits that the claims as presented are in condition for allowance. At the outset, Applicant and the undersigned express their appreciation to Examiner Hashem for the courtesies extended during the telephonic interview of June 3, 2004.

In the Office Action, claims 1-20 are rejected under 35 U.S.C. § 102(e) as being clearly anticipated by U.S. Patent No. 6,393,272 to Cannon et al. Also, Fig. 3 was objected to. Applicant respectfully traverses each rejection.

Applicants have herein amended the claims as follows. Claim 1 has been amended to recite, in part:

determining whether to place the call on hold prior to the call being answered by a user of the telecommunications device based on a schedule received from the user of the telecommunications device, the schedule including at least one time period during which the incoming call is placed on hold.

Claims 6 and 17 has been amended to recite, in part:

receiving one or more parameters of a hold function via a web interface, wherein said parameters are selected from the group consisting of a schedule including at least one time period during which the incoming call is placed on hold, and a list including at least one potential calling party from whom incoming calls are placed on hold,

and, "automatically answering the call if the call corresponds to the one or more parameters of the hold function." Claim 14 has been amended to recite, in part:

a home location register for storing a profile of a user of a telecommunications device, wherein the profile includes an

indication of whether the user is a subscriber to a incoming call hold service implemented by the telecommunications system;

a services node for:

determining whether an incoming call placed to the telecommunications device by a calling party should be placed on hold prior to the call being answered by the user of the telecommunications device according to the incoming call hold service;

placing the incoming call on hold prior to the call being answered;

playing a message to the calling party; and

connecting the telecommunications device to the calling party if the user of the telecommunications device answers the incoming call; and

a mobile switching center for facilitating communication between the telecommunications device, the services node, and the home location register.

Claim 1

Applicant traverses the rejection of claim 1 under 35 U.S.C. § 102(e) as being clearly anticipated by Cannon. An anticipation rejection is proper, “only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.” (*See* MPEP § 2131.) Applicant submits that Cannon fails to disclose every element of amended claim 1.

For example, Applicant submits that Cannon fails to disclose at least, “determining whether to place the call on hold prior to the call being answered by a user of the telecommunications device based on a schedule received from the user of the telecommunications device, the schedule including at least one time period during which the

incoming call is placed on hold,” as recited in amended claim 1. Applicant submits that Cannon, in fact, fails to disclose any kind of schedule in relation to placing an incoming call on hold.

Applicant also traverses the rejections of claims 2-5 under 35 U.S.C. § 102(e) as being clearly anticipated by Cannon. Applicant submits that claims 2-5 are allowable by virtue of their dependence from independent claim 1 as well as on their own merit.

Claims 6 and 17

In the Office Action, claims 6 and 17 were rejected under 35 U.S.C. § 102(e) as being clearly anticipated by U.S. Patent No. 6,393,272 to Cannon et al. Applicant traverses the rejection and submits that Cannon fails to disclose every element of amended claims 6 and 17.

For example, Applicant submits that Cannon fails to disclose, “receiving one or more parameters of a hold function via a web interface, wherein said parameters are selected from the group consisting of a schedule including at least one time period during which the incoming call is placed on hold, and a list including at least one potential calling party from whom incoming calls are placed on hold,” as recited in amended claims 6 and 17. Applicant submits that Cannon, in fact, fails to disclose any communication with a telecommunications system via a web interface.

Applicant also traverses the rejections of claims 7-13 and 18-20 under 35 U.S.C. § 102(e) as being clearly anticipated by Cannon. Applicant submits that claims 7-13 and 18-20 are allowable by virtue of their dependence from independent claims 6 and 17 respectively as well as on their own merit.

Claim 14

In the Office Action, claim 14 was rejected under 35 U.S.C. § 102(e) as being clearly anticipated by U.S. Patent No. 6,393,272 to Cannon et al. Applicant traverses the rejection and submits that Cannon fails to disclose every element of amended claim 14.

For example, Applicant submits that Cannon fails to disclose utilizing components of an Advanced Intelligent Network such as the home location register, services node, and mobile switching center recited in amended claim 14. Applicant submits that Cannon, in fact, fails to disclose utilizing any components of a telecommunications network. (*See* Cannon at col. 5, ln. 14 – col. 6, ln. 11.)

Applicant also traverses the rejections of claims 15-16 under 35 U.S.C. § 102(e) as being clearly anticipated by Cannon. Applicant submits that claims 15-16 are allowable by virtue of their dependence from independent claim 14 as well as on their own merit.

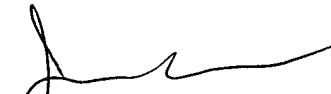
Drawings

The Office Action states that the drawings submitted on March 1, 2002 have been objected to. (*See* Office Action at p. 2.) Also, attached to the Office Action is a, “Notice of Draftperson’s Patent Drawing Review.” This document relates to drawings filed April 16, 2003, and objects to Figure 3. (*See* Notice of Draftperson’s Patent Drawing Review.) Applicant notes that formal drawings in the application were, in fact, filed on April 16, 2003, and therefore an objection to drawings submitted on March 1, 2002 is not proper at this point. To expedite prosecution, Applicant will proceed on the assumption that the objection in the Office Action referred to the formal drawings submitted on April 16, 2003, and not the informal drawings submitted on March 1, 2002. Accordingly, Applicant has included with this response a clean copy of Figures 1, 2, 4, and 5 as submitted on April 16, 2003 as well as an updated copy of Figure 3 which Applicant believes will address the Examiner’s objection. If the Applicant’s assumption regarding the drawings is incorrect, the Examiner is invited to contact the undersigned representative to clarify what was intended in the Office Action.

CONCLUSION

Applicant respectfully requests a Notice of Allowance for the pending claims in the present application. If the Examiner is of the opinion that the present application is in condition for disposition other than allowance, the Examiner is respectfully requested to contact the undersigned at the telephone number listed below in order that the Examiner's concerns may be expeditiously addressed.

Respectfully submitted,



Jonathan C. Parks
Registration No. 40,120

Attorney for Applicant
Customer No. 26285

KIRKPATRICK & LOCKHART, LLP
Henry W. Oliver Building
535 Smithfield Street
Pittsburgh, PA 15222

Telephone: (412) 355-6288
Fax: (412) 355-6501